

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

KEVIN SCHIAVONE,
Plaintiff

v.

CITY OF LAWRENCE, et al.

Defendants

Case No.: 1:19-cv-10435-RWZ

**MEMORANDUM IN SUPPORT OF PLAINTIFF'S MOTION TO
AMEND THE COMPLAINT**

Plaintiff Kevin Schiavone seeks leave from this Court to amend the Complaint, pursuant to Fed. R. Civ. P. 15(a)(2). The Plaintiff seeks to add factual information and allegations into the record to further support his claims and prayer for relief. The proposed Amended Complaint also makes some changes in the factual information and allegations due to changing circumstances and information received. It does not add new defendants or causes of action.

Rule 15(a)(2) permits amendment of a complaint by leave of court and advises that “[t]he court should freely give leave when justice so requires.” Such leave should be granted here. The Defendants will not be prejudiced by an amendment, as discovery has not yet commenced. There is more than ample time for Defendants to take discovery concerning the new allegations and information in the proposed Amended Complaint. Additionally, the Court and Parties discussed the Plaintiff’s intention to file an Amended Complaint at the Scheduling Conference on June 4, 2019 and no objection was raised to the idea at that time.

For these reasons, Plaintiff Kevin Schiavone respectfully requests that this Court grant his Motion to Amend the Complaint and allow the proposed Amended Complaint to be docketed.

Dated: June 28, 2019

Respectfully submitted,
For Plaintiff,
By his attorney,

/s/ Seldon E. Nason, Jr.

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CERTIFICATE OF SERVICE

I hereby certify that this document was filed through the ECF system and will therefore be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent this day to those participants indicated as non-registered participants.

Dated: June 28, 2019

/s/ Seldon E. Nason, Jr.

Seldon E. Nason, Jr., BBO# 696905